



# Department of Justice

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FOR IMMEDIATE RELEASE  
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**DEPARTMENT OF JUSTICE ISSUES BUSINESS REVIEW  
LETTER CONCERNING RAILCAR POOL FOR AUTO SHIPPERS**

WASHINGTON, D.C. -- The Department of Justice announced today that it does not intend to challenge the implementation of an Auto Shippers' Efficiency Committee which will operate as a Committee of the Multilevel Railcar Pool. The purpose of the committee will be to allow shippers to meet to exchange information about railroad car construction, maintenance and operating procedures and to formulate joint recommendations designed to improve the efficiency of the Multilevel Railcar Pool.

The Department's position was stated in a letter from J. Mark Gidley, Acting Assistant Attorney General of the Antitrust Division, to George Velez of the General Motors Legal Staff.

The Multilevel Railcar Pool is a group of 20 railroads which pool multilevel rail cars used to transport motor vehicles and use a central distribution team to control the distribution of those rail cars. The pool, which is authorized by the Interstate

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Commerce Commission, was designed to reduce inefficient back-hauling of empty rail cars.

Gidley said that although the exchange of information between competitors can facilitate anticompetitive coordination, in this case there does not appear to be a substantial risk of that result. None of the information exchanged will concern product price, freight rates, number of automobiles shipped or shipments made, or any data not directly related to railroad operating procedures. Additionally, the committee will operate under procedures designed to assure that no other information exchanges occur.

Under the Department's Business Review Procedure, a person or organization may submit a proposed course of action to the Antitrust Division and receive a statement as to whether the Division would challenge that action under the antitrust laws. A file containing the business review request and the Department's response may be examined in Room 3233, Antitrust Division, U.S. Department of Justice, Tenth Street and Pennsylvania Avenue, N.W., Washington, D.C. 20530 (Telephone: 202/514-2481). After a 30-day waiting period, the documents supporting the business review request will be added to the file.

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